

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ERICK L. AMIE,

No. C 07-2403 SI (pr)

Petitioner,

**ORDER OF TRANSFER**

v.


RICHARD KIRKLAND, warden,

Respondent.

Petitioner has filed a petition for writ of habeas corpus to challenge a prison disciplinary decision that resulted in the loss of time credits. Petitioner is currently incarcerated at Kern Valley State Prison, although the prison disciplinary decision apparently occurred in 2002 while he was at Salinas Valley State Prison. Kern Valley State Prison is in Kern County and within the venue of the Eastern District of California. Venue is proper in a habeas action in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, the district of confinement is the preferable forum to review the execution of a sentence, such as a loss of time credits claim. See Habeas L.R. 2254-3(a); Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989). Because petitioner is now confined in the Eastern District of California and challenging the execution of his sentence, pursuant to 28 U.S.C. § 1404(a) and Habeas L.R. 2254-3(b), and in the interests of justice, this action is TRANSFERRED to the United States District Court for the Eastern District of California. The clerk shall transfer this matter forthwith.

IT IS SO ORDERED.

DATED: June 29, 2007

  
\_\_\_\_\_  
SUSAN ILLSTON  
United States District Judge